

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**MISSISSIPPI STANDING JOINT LEGISLATIVE COMMITTEE ON
REAPPORTIONMENT AND REDISTRICTING'S RESPONSES AND OBJECTIONS TO
SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Mississippi Standing Joint Legislative Committee on Reapportionment and Redistricting ("SJLCRR") hereby serves its responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action ("Subpoena") served by Plaintiffs Mississippi State Conference of the National

Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

SJLCRR is not a party to this lawsuit. As a non-party, SJLCRR is not privy to all discovery conducted in this action; therefore, SJLCRR reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to SJLCRR’s counsel. SJLCRR reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

SJLCRR further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to SJLCRR. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, SJLCRR specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

The SJLCRR further objects to this request on the grounds that it is overly broad and unduly burdensome.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 2

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/>.

SUBPOENA REQUEST NO. 3

ALL DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not

limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/>.

SUBPOENA REQUEST NO. 4

ALL DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is

therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 5

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 6

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to "Black", "African American", "minority", "BVAP", "BCVAP", "Latino", "Hispanic", "HVAP", "HCVAP", "Asian," "Asian American", "AVAP, or "ACVAP".

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is not aware of any responsive documents other than those communications by and among the Legislators, including the Lieutenant Governor, and their staff and counsel, all of which is protected by the Legislative

Privilege. The SJLCRR is producing all communication with the public or outside interest groups related to the 2022 legislative redistricting process. The SJLCRR will continue to look for responsive documents and supplement if any responsive non-privileged documents are located.

SUBPOENA REQUEST NO. 9

ALL DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

Further, the SJLCRR is not aware of any responsive documents other than those communications by and among the Legislators, including the Lieutenant Governor, and their staff and counsel, all of which is protected by the Legislative Privilege. The SJLCRR is producing all communication with the public or outside interest groups related to the 2022 legislative redistricting process. The SJLCRR will continue to look for responsive documents and supplement if any responsive non-privileged documents are located.

SUBPOENA REQUEST NO. 10

ALL DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant,

the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR approved a contract for outside legal counsel at one of the 4 open public meetings, a copy of which is being produced. The SJLCRR staff also entered into contracts with MARIS and a court reporting service, copies of which are being produced.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is

therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to

supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

The SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving these objections, the SJLCRR is producing the entirety of the public record in this matter, including transcripts created of all the 9 public hearings, materials provided to members of the SJLCRR by the public, materials shown or provided by the SJLCRR to the public, minutes and materials of all 4 open public meetings held by the SJLCRR, and all communications with third parties. Plaintiffs may also access responsive materials on the SJLCRR's public website <http://www.msjrc.state.ms.us/> . Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

MISSISSIPPI STANDING JOINT
LEGISLATIVE COMMITTEE ON
REAPPORTIONMENT AND REDISTRICTING

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF ITS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

BUTLER SNOW LLP

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Mississippi Standing Joint Legislative Committee on Reapportionment and Redistricting, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**BEN COLLINS’
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Ben Collins (“Collins”), GIS Coordinator for the Mississippi Legislature’s Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”) hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

(“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Collins is not a party to this lawsuit. As a non-party, Collins is not privy to all discovery conducted in this action; therefore, Collins reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Collins’s counsel. Collins reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Collins further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Collins. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Collins specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

All DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

ALL DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 5

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the

use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 6

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and

counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 8

All DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 9

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and

counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both. Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting>.

SUBPOENA REQUEST NO. 10

ALL DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that

this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 11

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair

Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Collins served as GIS Coordinator for SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Collins further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Collins has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

BEN COLLINS, GIS Coordinator for the
Mississippi Legislature's Standing Joint Legislative
Committee on Reapportionment and Redistricting

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)
P. Ryan Beckett (MB #99524)
B. Parker Berry (MB #104251)

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Respondent Representative Ben Collins, GIS Coordinator for the Mississippi Legislature's Standing Joint Legislative Committee on Reapportionment and Redistricting, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**REPRESENTATIVE DAN EUBANKS’
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Representative Dan Eubanks, in his official capacity as a Member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“Representative Eubanks”) hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in

a Civil Action (“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Representative Eubanks is not a party to this lawsuit. As a non-party, Representative Eubanks is not privy to all discovery conducted in this action; therefore, Representative Eubanks reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Representative Eubanks’s counsel. Representative Eubanks reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Representative Eubanks further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Representative Eubanks. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Eubanks specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1 :

All DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian

Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;

- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;
- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Representative Eubanks further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Representative Eubanks made one post on social media related to the 2022 Mississippi legislative redistricting. A copy of same is being produced by counsel. Representative Eubanks

has no other documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 3

All DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Representative Eubanks further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 5

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request

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Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 6

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 7

All DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Representative Eubanks has no responsive documents.

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All DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the

Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 9

ALL DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of

the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

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Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 10

All DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Representative Eubanks further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Representative Eubanks has no responsive documents.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January

1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Representative Eubanks made one post on social media related to the 2022 Mississippi legislative redistricting. A copy of same is being produced by counsel. Representative Eubanks has no other documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other

communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Representative Eubanks served as a member of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Representative Eubanks further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Representative Eubanks made one post on social media related to the 2022 Mississippi legislative redistricting. A copy of same is being produced by counsel. Representative Eubanks has no other documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

Representative DAN EUBANKS,
in his official capacity as a Member of the
Standing Joint Legislative
Committee on Reapportionment and Redistricting

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Respondent Representative Dan Eubanks, in his official capacity as a Member of the Standing Joint Legislative Committee on Reapportionment and Redistricting, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

80545995.v1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**SENATOR DEAN KIRBY'S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Senator Dean Kirby, in his official capacity as Vice Chairman of the Standing Joint Legislative Committee on Reapportionment and Redistricting ("Senator Kirby"), hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

(“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Senator Kirby is not a party to this lawsuit. As a non-party, Senator Kirby is not privy to all discovery conducted in this action; therefore, Senator Kirby reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Senator Kirby’s counsel. Senator Kirby reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Senator Kirby further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Senator Kirby. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Kirby specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1 :

All DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any

ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;

- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;
- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach,

publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

ALL DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel.

The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no responsive documents.

SUBPOENA REQUEST NO. 5

All DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 6

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request

seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no responsive documents.

SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request

seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 9

ALL DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no responsive documents.

SUBPOENA REQUEST NO. 10

ALL DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request

seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no responsive documents.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Senator Kirby served as the Vice-Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request

seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Senator Kirby further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Senator Kirby has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SENATOR DEAN KIRBY,
in his official capacity as Vice
Chairman of the Standing Joint Legislative
Committee on Reapportionment and Redistricting

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

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ryan.beckett@butlersnow.com

parker.berry@butlersnow.com

CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Respondent Representative Dean Kirby, in his official capacity as Vice Chairman of the Standing Joint Legislative Committee on Reapportionment and Redistricting, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

80539134.v1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**FORMER REPRESENTATIVE CHARLES JIM BECKETT’S
RESPONSES AND OBJECTIONS
TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Former Representative Charles Jim Beckett (“Former Representative Beckett”), the former Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises

in a Civil Action (“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Former Representative Beckett is not a party to this lawsuit. As a non-party, Former Representative Beckett is not privy to all discovery conducted in this action; therefore, Former Representative Beckett reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Former Representative Beckett’s counsel. Former Representative Beckett reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Former Representative Beckett further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Former Representative Beckett. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Former Representative Beckett specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1 :

All DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian

Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;

- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;
- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

All DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 5

All DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 6

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a

term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any

local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 9

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National

Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both. Plaintiff may also access responsive materials on the Mississippi Secretary of State's public website <https://www.sos.ms.gov/elections-voting> .

SUBPOENA REQUEST NO. 10

All DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022

REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Former Representative Beckett has no responsive documents.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the

extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in

Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Former Representative Beckett served as the Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Former Representative Beckett has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

CHARLES JIM BECKETT, Former Representative
and Chair of the Standing Joint Legislative
Committee on Reapportionment and Redistricting

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

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P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

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parker.berry@butlersnow.com

CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Respondent Former Representative Jim Beckett, Chair (former) of SJLCRR Redistricting Process, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett

P. Ryan Beckett

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**JAMES F. BOOTH'S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party attorney James F. Booth ("Booth"), Counsel to the Mississippi Legislature's Standing Joint Legislative Committee on Reapportionment and Redistricting ("SJLCRR"), hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

(“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Booth is not a party to this lawsuit. As a non-party, Booth is not privy to all discovery conducted in this action; therefore, Booth reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Booth’s counsel. Booth reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Booth further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Booth. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Booth specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Booth served as Counsel to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

All DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 5

All DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the

use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 6

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected

Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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All DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 9

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

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SUBPOENA REQUEST NO. 10

ALL DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting ("SJLCRR"), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the

SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Booth served as counsel to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected

Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

The SJLCRR further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Booth has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

JAMES F. BOOTH, Counsel to the Mississippi
Legislature's Standing Joint Committee on
Reapportionment and Redistricting

Dated: July 27th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

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parker.berry@butlersnow.com

CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for James F. Booth, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: July 27th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

80545761.v1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**SPEAKER PHILIP GUNN’S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Representative Philip Gunn, in his official capacity as Speaker of the Mississippi House of Representatives (“Speaker Gunn”), hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (“Subpoena”) served by Plaintiffs Mississippi

State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Speaker Gunn is not a party to this lawsuit. As a non-party, Speaker Gunn is not privy to all discovery conducted in this action; therefore, Gunn reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Speaker Gunn’s counsel. Speaker Gunn reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Speaker Gunn further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Speaker Gunn. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Speaker Gunn specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

ALL DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the

SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

ALL DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 5

All DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 6

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the

SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected

Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 9

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 10

All DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected

Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Speaker Gunn served as Speaker and the presiding officer of the House of Representatives during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the SJLCRR, a standing legislative committee composed entirely of elected

Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Speaker Gunn further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Speaker Gunn has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

PHILIP GUNN, in his official capacity as Speaker
of the Mississippi House of Representatives

Dated: August 7th, 2023

By: /s/ P. Ryan Beckett

P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

BUTLER SNOW LLP

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tommie.cardin@butlersnow.com

ryan.beckett@butlersnow.com

parker.berry@butlersnow.com

CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Representative Philip Gunn, in his official capacity as Speaker of the Mississippi House of Representatives, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: August 7th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

80745889.v1

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**NEAL SMITH'S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Neal Smith ("Smith"), Senior GIS Project Manager for Mississippi Automated Resource Information System ("MARIS"), hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action ("Subpoena") served by Plaintiffs Mississippi

State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Smith is not a party to this lawsuit. As a non-party, Smith is not privy to all discovery conducted in this action; therefore, Smith reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Smith’s counsel. Smith reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Smith further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Smith. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Smith specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”) to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Smith further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Smith has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 2

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach,

publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Smith further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Smith has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 3

ALL DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing

legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Smith further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Smith has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 4

ALL DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Smith further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Smith has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 5

All DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Smith further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Other than copies of some of the same materials being produced by the SJLCRR, Smith has no documents that are not subject to either the legislative privilege, the attorney/client privilege, or both.

SUBPOENA REQUEST NO. 6

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”, “BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 7

All DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101,

including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican

Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 9

ALL DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign

or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

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SUBPOENA REQUEST NO. 10

All DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not

limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Smith served as Senior GIS Project Manager for MARIS. MARIS contracted with the SJLCRR to allow Smith to assist in the 2022 Mississippi redistricting cycle. SJLCRR is a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas,

attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

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SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or

candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

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NEAL SMITH, Senior GIS Project Manager for
Mississippi Automated Resource Information
System ("MARIS")

Dated: August 7th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

B. Parker Berry (MB #104251)

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Neal Smith, Senior GIS Project Manager for Mississippi Automated Resource Information System ("MARIS"), do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: August 7th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**NATHAN UPCHURCH'S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Nathan Upchurch (“Upchurch”), Chief of Staff for Lieutenant Governor Delbert Hosemann, hereby serves his responses and objections to the Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action (“Subpoena”) served by Plaintiffs Mississippi State Conference of the National

Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Upchurch is not a party to this lawsuit. As a non-party, Upchurch is not privy to all discovery conducted in this action; therefore, Upchurch reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Upchurch’s counsel. Upchurch reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Upchurch further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Upchurch. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Upchurch specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1:

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts

that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;
- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;

- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he worked from time to time with the Chair and Vice Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Upchurch further objects to this request on the grounds that it seeks documents and information protected by the attorney-client privilege and/or the work product doctrine.

Subject to and without waiving this objection, Upchurch is producing certain documents Bates-numbered SDT-Upchurch-000001-000044. Otherwise, Upchurch has no other documents that are not subject to the legislative privilege and/or attorney-client privileges.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach,

publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he worked from time to time with the Chair and Vice Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 3

ALL DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he worked from time to time with the Chair and Vice Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

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SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he worked from time to time with the Chair and Vice Chair of the SJLCRR, a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely

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political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

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RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he worked from time to time with the Chair and Vice Chair of the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the

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Subject to and without waiving this objection, Upchurch is producing certain documents Bates-numbered SDT-Upchurch-000001-000044. Otherwise, Upchurch has no other documents that are not subject to the legislative privilege and/or attorney-client privileges.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Upchurch served as Chief of Staff for Lieutenant Governor Delbert Hosemann, the presiding officer of the Senate during the 2022 Regular Session of the Mississippi Legislature. In

that capacity, he worked from time to time with the Chair and Vice Chair of the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Upchurch has no responsive documents

NATHAN UPCHURCH, Chief of Staff for
Lieutenant Governor Delbert Hosemann

Dated: August 28th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Nathan Upchurch, Chief of Staff for Lieutenant Governor Delbert Hosemann, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: August 28th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

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**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

**MISSISSIPPI STATE CONFERENCE OF THE
NATIONAL ASSOCIATION FOR THE
ADVANCEMENT OF COLORED PEOPLE;
DR. ANDREA WESLEY; DR. JOSEPH
WESLEY; ROBERT EVANS; GARY
FREDERICKS; PAMELA HAMMER
BARBARA FINN; ORHO BARNES;
SHIRLINDA ROBERTSON; SANDRA
SMITH; DEBORAH HULITT; RODESTA
TUMBLIN; DR. KIA JONES; ANGELA
GRAYSON; MARCELEAN ARRINGTON;
VICTORIA ROBERTSON**

PLAINTIFFS

VS.

CIVIL ACTION NO. 3:22-cv-734-DPJ-HSO-LHS

**STATE BOARD OF ELECTION
COMMISSIONERS; TATE REEVES, *in his
official capacity as Governor of Mississippi;*
LYNN FITCH, *in her official capacity as
Attorney General of Mississippi;* MICHAEL
WATSON, *in his official capacity as Secretary
of State of Mississippi***

DEFENDANTS

AND

**MISSISSIPPI REPUBLICAN
EXECUTIVE COMMITTEE**

INTERVENOR-DEFENDANT

**LIEUTENANT GOVERNOR DELBERT HOSEMANN'S
RESPONSES AND OBJECTIONS TO SUBPOENA SERVED BY PLAINTIFFS**

Pursuant to Fed. R. Civ. P. 45, non-party Delbert Hosemann¹, in his official capacity as Lieutenant Governor of Mississippi and President of the Mississippi Senate ("Lt. Gov. Hosemann") hereby serves his responses and objections to the Subpoena to Produce Documents,

¹ Incorrectly named on the subpoena as Delbert Hoseman.

Information, or Objects or to Permit Inspection of Premises in a Civil Action (“Subpoena”) served by Plaintiffs Mississippi State Conference of the National Association for the Advancement of Colored People, et al. (collectively, “Plaintiffs”) in above-captioned matter.

GENERAL OBJECTIONS

Lt. Gov. Hosemann is not a party to this lawsuit. As a non-party, Lt. Gov. Hosemann is not privy to all discovery conducted in this action; therefore, Lt. Gov. Hosemann reserves the right to assert additional objections in the event discovery reveals that any such additional objections are applicable.

The below responses and objections are based on the information presently available to Lt. Gov. Hosemann’s counsel. Lt. Gov. Hosemann reserves the right to revise, correct, clarify, and/or supplement the below responses and objections as additional information and/or documents are obtained.

Lt. Gov. Hosemann further objects to the extent the requests seek electronically stored information (“ESI”) that is not reasonably available to Lt. Gov. Hosemann. The production of ESI pursuant to the Subpoena could impose significant burdens of costs and time to perform data recovery, document review, redaction, and production; such burdens should properly be shouldered by the litigants, not third parties.

OBJECTIONS AND RESPONSES

In addition to the general objections stated above, all of which are adopted and incorporated into the following responses, Lt. Gov. Hosemann specifically objects and responds to the Subpoena requests as follows:

SUBPOENA REQUEST NO. 1 :

All DOCUMENTS and COMMUNICATIONS RELATING TO any 2022 REDISTRICTING PROPOSAL, including but not limited to the 2022 MAPS as well as any ALTERNATIVE maps involving one or more Mississippi State House and/or State Senate districts that were drawn, discussed, or considered. This request includes but is not limited to DOCUMENTS and COMMUNICATIONS that reflect or relate to:

- a. the origination(s) or source(s) of any such 2022 REDISTRICTING PROPOSAL;
- b. the impetus, rationale, background, or motivation for any such 2022 REDISTRICTING PROPOSAL;
- c. all drafts in the development or revision of any such 2022 REDISTRICTING PROPOSAL, including but not limited to shapefiles, files or datasets used in mapping software, each RED report, each PAR report, demographic data (including but not limited to Citizen Voting Age Population, Hispanic Citizen Voting Age Population, Black Citizen Voting Age Population, Asian Citizen Voting Age Population, Voting Age Population, Hispanic Voting Age Population, Black Voting Age Population, and Asian Voting Age Population), election data (including but not limited to reconstituted election analyses), and files RELATING TO precinct names, precinct lines, split precincts, partisan indexes, population shifts, population deviations, voter registration, Spanish Surname Voter Registration, Asian Surname Voter Registration, Black Surname Voter Registration, voter affiliation, Spanish Surname Voter Turnout, Asian

Surname Voter Turnout, Black Surname Voter Turnout, or changing census geography;

- d. the potential pairing of any incumbents in any such 2022 REDISTRICTING PROPOSAL;
- e. negotiations regarding any REDISTRICTING PROPOSAL; and
- f. all calculations, reports, audits, estimates, projections, or other analyses, from any source, RELATING TO the effect or impact, of any kind—including on (1) Mississippi minority voters, (2) existing or emerging minority opportunity districts, or (3) voter turnout—that could result from the implementation of any such REDISTRICTING PROPOSAL.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 2

All DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process, including but not limited to planning, timing, hearings, outreach, publicity, public or expert participation or consultation, deadlines, limitations, staffing, and persons or entities involved.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 3

All DOCUMENTS and COMMUNICATIONS RELATED TO meetings held by the JOINT COMMITTEE, whether attended by all JOINT COMMITTEE members or only a portion of the membership, regarding the 2022 MAPS or any ALTERNATIVE maps, including but not limited to JOINT COMMITTEE meetings held in June 2021, November 2021, December 2021, and March 2022, or any JOINT COMMITTEE hearings.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 4

All DOCUMENTS and COMMUNICATIONS RELATING TO voting patterns in Mississippi elections with respect to race, ethnicity, or language minority status, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Gov. Hosemann has no responsive documents.

SUBPOENA REQUEST NO. 5

ALL DOCUMENTS and COMMUNICATIONS RELATING TO any factor considered when drawing the 2022 MAPS or any ALTERNATIVE MAPS, including, but not limited to, the use of race, the use of political or party information, or traditional REDISTRICTING principles, including but not limited to compactness and contiguity, preservation of political subdivisions, and preservation of communities of interest.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Gov. Hosemann has no responsive documents.

SUBPOENA REQUEST NO. 6

ALL DOCUMENTS and COMMUNICATIONS RELATING TO the 2022 REDISTRICTING process for the 2022 HOUSE MAP and the 2022 SENATE MAP containing a term referencing race, including but not limited to “Black”, “African American”, “minority”,

“BVAP”, “BCVAP”, “Latino”, “Hispanic”, “HVAP”, “HCVAP”, “Asian,” “Asian American”, “AVAP, or “ACVAP”.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Gov. Hosemann has no responsive documents.

SUBPOENA REQUEST NO. 7

ALL DOCUMENTS and COMMUNICATIONS RELATING TO whether the 2022 MAPS or any other ALTERNATIVE map or any other REDISTRICTING PROPOSAL drawn, discussed, or considered during the 2022 REDISTRICTING process complies with the United States Constitution, the Mississippi Constitution, the Voting Rights Act, or Mississippi Code §5-3-101, including but not limited to any calculations, reports, audits, estimates, projections, or other analyses.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative

committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Gov. Hosemann has no responsive documents.

SUBPOENA REQUEST NO. 8

ALL DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the JOINT COMMITTEE, MARIS, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee on Reapportionment and Redistricting (“SJLCRR”), a standing legislative

committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 9

All DOCUMENTS and COMMUNICATIONS RELATING TO enumerations or estimates by the U.S. Census Bureau regarding population changes, race, ethnicity, language minority status, or United States citizenship that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party of Mississippi, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 10

All DOCUMENTS and COMMUNICATIONS that RELATE TO or reflect money spent or received or payments made or received RELATING TO the 2022 MAPS, including but not limited to money spent or received to create the 2022 MAPS or ALTERNATIVE maps, or money spent on payment for services, agreements of representation, consultation, employment, services, confidentiality, or common interest; or any other type of contract RELATING TO 2022 REDISTRICTING including but not limited any consultant, political operative, expert, consultant, the Office of the Mississippi Attorney General, other law firm or attorney, other vendor, or other person or entity.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint

Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Gov. Hosemann has no responsive documents.

SUBPOENA REQUEST NO. 11

All other DOCUMENTS and COMMUNICATIONS RELATING TO 2022 REDISTRICTING for the Mississippi State House or the Mississippi State Senate from January 1, 2019, to the present, including but not limited to any 2022 REDISTRICTING criteria, public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

SUBPOENA REQUEST NO. 12

All other DOCUMENTS and COMMUNICATIONS RELATING TO implementation of the 2022 MAPS from January 1, 2019, to the present, including but not limited to any public statements, correspondence, calendar invitations, scheduling emails, meeting minutes, agendas, attendance sheets, call logs, notes, presentations, studies, advocacy, letters, or other communications that were exchanged between, among, with, or within the Office of the Governor, the Office of the Lieutenant Governor, the Office of the Secretary of State, the Office of the Attorney General, any LEGISLATOR, the Joint Committee or members thereof, MARIS or any members thereof, any campaign or candidate for the Mississippi State Senate, any campaign or candidate for the Mississippi State House, any national political party, any state political party organization, any local political party organization, any national organization dedicated to supporting state legislative candidates, the National Republican Redistricting Trust, the National Democratic Redistricting Committee, the Mississippi Republican Executive Committee, Fair Lines America, the Mississippi Democratic Party, any political action committee, any lobbyist, any political activist or operative, any other governmental entity, any local elected official in Mississippi, any consultant, any expert, any law firm or attorney, any vendor, any other political or community group or organization, or any member of the public.

RESPONSE:

Lt. Gov. Hosemann served as President of the Senate during the 2022 Regular Session of the Mississippi Legislature. In that capacity, he made 10 appointments to the Standing Joint

Legislative Committee or Reapportionment and Redistricting (“SJLCRR”), a standing legislative committee composed entirely of elected Senators and Representatives and supported by their staff, aides and counsel. The work of the SJLCRR is therefore entirely legislative in nature. To the extent that this request seeks documents shielded by the Legislative privilege, this request is improper and the SJLCRR objects to same.

Subject to and without waiving this objection, Lt. Governor Hosemann is producing certain documents Bates-numbered SDT-Hosemann-000001-000035. Otherwise, Lt. Governor Hosemann has no other documents that are not subject to the legislative privilege.

DELBERT HOSEMANN, in his official capacity as
Lieutenant Governor of Mississippi and President of
the Mississippi Senate

Dated: August 28th, 2023

By: /s/ P. Ryan Beckett
P. Ryan Beckett (MB #99524)

ONE OF HIS COUNSEL

OF COUNSEL:

Tommie S. Cardin (MB #5863)

P. Ryan Beckett (MB #99524)

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CERTIFICATE OF SERVICE

I, P. Ryan Beckett, counsel for Delbert Hosemann, in his official capacity as Lieutenant Governor of Mississippi and President of the Mississippi Senate, do hereby certify that I served the foregoing subpoena responses and objections via electronic mail on all counsel of record.

Dated: August 28th, 2023

/s/ P. Ryan Beckett
P. Ryan Beckett

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